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APR 03 2003

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/318,630
Filing Date	May 26, 1999
First Named Inventor	KIKUO NAITO, ET AL.
Group Art Unit	2672
Examiner Name	T. Havan
Attorney Docket Number	03500.013542

APR 03 2003

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Preliminary Amendment
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

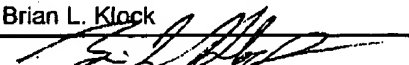
## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Checks in the amount of \$ 750.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Brian L. Klock	Registration No. (Attorney/Agent)	36,570
Signature		Date	April 3, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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**FACSIMILE COVER SHEET**

**TO:** Examiner T. Haven  
GALT-2672  
U.S. Patent and Trademark Office

**FROM:** Brian Klock

**RE:** Appln. No. 09/318,630

**FAX NO.:** 703/872-9314 and 703/746-6044

**DATE:** May 7, 2003

**NO. OF PAGES:** 3  
(including cover page)

**TIME:**

**SENT BY:**

**MESSAGE**

As you requested, attached is a copy of the Request for RCE filed on April 3, 2003, together with a copy of the date-stamped postcard. The PAIR system also confirms that the Request for RCE was received on April 3, 2003.

**IF YOU DO NOT RECEIVE ALL THE PAGES  
PLEASE CALL 202-530-1010 AS SOON AS POSSIBLE.**

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Commissioner for Patents  
Washington, D.C. 20231

Date 4 13 03  
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Atty. Docket D300,013,842  
Appl. No. 09/318,630

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Specifications, claims and abstract \_\_\_\_\_ pages, with Transmittal Form
- ☐ Patent Application Bibliographic Data Sheet \_\_\_\_\_ sheets
- ☐ Executed Oath or Declaration and Power of Attorney
- ☐ \_\_\_\_\_ Sheets of \_\_\_\_\_ formal \_\_\_\_\_ informal drawings
- ☐ Check for \$ \_\_\_\_\_ (filing fee)
- ☒ Request for Continued Examination and Check for \$ 700.00
- ☐ Assignment, PTO-1595 and Check for \$ \_\_\_\_\_
- ☐ Transmittal Under 37 CFR 1.53(d) (CPA)
- ☐ Petition under 37 CFR 1.136 and check for \$ \_\_\_\_\_
- ☒ Other (specify) Preliminary Amendment
- by placing your receiving date stamp hereon and mailing or returning to deliverer.
- This is a ☐ Continuation ☐ Divisional ☐ Continuation-In-Part
- Atty. Bullington Due Date 4 13 03  
Mo. Day Yr.
- 37 CFR 1.8 ☐  
37 CFR 1.10 ☐  
By Hand ☒

